

Please replace the paragraph beginning at page 8 line 20, with the following rewritten paragraph:

--the electron-beams radiated from above after removing--

In the Claims

Please amend claim 9 to read as follows:

9. (AMENDED) A semiconductor device comprising:

a substrate having a region irradiated with radiating rays,

crystal defects within the region irradiated, and

a metal wiring layer located over the substrate, the metal wiring layer being made of a light metal, the metal wiring layer having an opening above the region irradiated, so that radiating rays passing to the region irradiated through the opening generate the crystal defects only under the opening.

REMARKS

Minor corrections have been made to the specification. Claim 9 has been amended. Claims 9-14 remain pending. Reconsideration and reexamination of the application, as amended, are requested.

The Examiner rejected claims 9-12 under 35 U.S.C. §102(b) as being anticipated by Kushida et al. or Tomii et al.

Kushida discloses structure, which has defects across the entire cross-sectional area of the substrate (see column 6, lines 4-7). Likewise, Tomii discloses structure, which has a defect zone across the entire cross-sectional area of the substrate (see column 3, lines 54-57). In contrast, claim 9 defines a semiconductor device having crystal defects within the region irradiated only under the opening in the metal wiring layer. As a consequence, the references do not disclose a

substrate having a region irradiated as defined by claim 9. The references, therefore, do not and cannot anticipate the structure of claim 9.

The Examiner rejected claims 9-14 under 35 U.S.C. § 103(a) as being obvious on consideration of Kushida or Tomii. Neither of the references points to the possibility of structure as recorded by claim 9, namely, the semiconductor device with a substrate having a region irradiated through the opening to generate crystal defects only under the opening. Therefore, claim 9 and the claims, which depend from it, do not follow from either one of the references and are nonobvious over them.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration and reexamination are requested. Allowance of claims 9-14 at early date is solicited.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification

Paragraph beginning at line 5 of page 8 has been amended as follows:

resist layer 82 is formed above [of] the crystal

Paragraph beginning at line 10 of page 8 has been amended as follows:

the silicon oxidation lay 27 is formed above [of] the crystal

Paragraph beginning at line 20 of page 8 has been amended as follows:

the electron-beams radiated from [the] above after removing

In the Claims

9. A semiconductor device comprising:
- a substrate having a region irradiated with radiating rays,
 - crystal defects within the region irradiated, and
 - a metal wiring layer located over the substrate, the metal wiring layer being made of a light metal, the metal wiring layer having an opening above the region irradiated, so that radiating rays passing to the region irradiated through the opening generate the crystal defects [within the region irradiated] only under the opening.